

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) An isolated polynucleotide, which encodes a protein comprising the amino acid sequence of SEQ ID NO: 2.
2. (Cancelled)
3. (Original) A vector comprising the isolated polynucleotide of Claim 1.
4. (Original) A host cell comprising the isolated polynucleotide of Claim 1.
5. (Previously Presented) The host cell of Claim 4, which is a *Corynebacterium*.
6. (Currently Amended) The host cell of Claim 4, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, ~~and~~ *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.
- 7.-9. (Cancelled)
10. (Currently Amended) A method for making an OxyR transcriptional regulator protein, comprising:
 - a) culturing the host cell of Claim 4 for a duration of time under conditions suitable for expression of an OxyR transcriptional regulator protein; and
 - b) collecting the OxyR transcriptional regulator protein.
11. (Currently Amended) An isolated polynucleotide, which comprises nucleotides 491 to 1471 of SEQ ID NO: 1.
12. (Currently Amended) An isolated polynucleotide, which is fully ~~complementary~~ complementary to the coding strand nucleotides 491 to 1471 of SEQ ID NO: 1.

13.-15. (Cancelled)

16. (Currently Amended) An isolated polynucleotide fragment of SEQ ID NO: 1, consisting of a nucleotide sequence selected from the group consisting of at least 15 consecutive nucleotides of nucleotides 1 to 490 of SEQ ID NO: 1, at least 25 consecutive nucleotides of nucleotides 491 to 1471 of SEQ ID NO: 1, and at least 15 consecutive nucleotides of nucleotides 1472 to 1675 of SEQ ID NO: 1, or the full complement of said fragment.

17. (Cancelled)

18. (Cancelled)

19. (Original) A vector comprising the isolated polynucleotide of Claim 11.

20. (Original) A host cell comprising the isolated polynucleotide of Claim 11.

21. (Previously Presented) The host cell of Claim 20, which is a *Corynebacterium*.

22. (Currently Amended) The host cell of Claim 20, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, ~~and~~ *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

23.-25. (Cancelled)

26. (Currently Amended) A method for making an OxyR transcriptional regulator protein, comprising:

- a) culturing the host cell of Claim 20 for a duration of time under conditions suitable for expression of an OxyR transcriptional regulator protein; and
- b) collecting the OxyR transcriptional regulator protein.

27. (Cancelled)

28. (Cancelled)

29. (Original) *Corynebacterium glutamicum* DSM 13457.

30.-39. (Cancelled)

40. (New) A method for making an L-amino acid comprising:
culturing in a suitable medium a cell comprising a polynucleotide sequence encoding
SEQ ID NO: 2, and
recovering the L-amino acid,
wherein said cell overexpresses said nucleotide sequence and wherein said
overexpression is achieved by increasing the copy number of said polynucleotide or operably
linking to said polynucleotide sequence a promoter, regulatory region, expression cassette, or
ribosome binding site to increase the expression of said polynucleotide.

41. (New) The method of Claim 40, wherein said L-amino acid is L-lysine.

42. (New) The method of Claim 40, wherein said cell is a *Corynebacterium*.

43. (New) The method of Claim 40, wherein said cell which is selected from the
group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*,
Corynebacterium acetoacidophilum, *Corynebacterium thermoaminogenes*, *Corynebacterium*
melassecola, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium*
divaricatum.

44. (New) An isolated nucleic acid comprising a polynucleotide encoding SEQ ID
NO: 2 or a polypeptide fragment of SEQ ID NO: 2 that has OxyR transcription regulator
activity.

45. (New) A vector comprising the isolated nucleic acid of Claim 44.

46. (New) A host cell comprising the isolated nucleic acid of Claim 44.

47. (New) The host cell of Claim 46 which is a *Corynebacterium*.

48. (New) The host cell of Claim 46 which is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium thermoaminogenes*, *Corynebacterium melassecola*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

49. (New) A method for making an L-amino acid comprising culturing the host cell of Claim 46 in a suitable medium and recovering the L-amino acid.

50. (New) A modified *Cornynebacterium* comprising multiple copies of the polynucleotide of Claim 1.

51. (New) A modified *Corynebacterium* comprising multiple copies of the polynucleotide of Claim 11.

52. (New) A modified *Cornynebacterium* comprising a polynucleotide encoding SEQ ID NO: 2 under the control of a promoter, regulatory region, expression cassette, or ribosome binding site which increases the expression of said polynucleotide,

wherein said modified *Corynebacterium* expresses a greater amount of the gene product of said polynucleotide than the corresponding unmodified *Corynebacterium*.

53. (New) The isolated polynucleotide of Claim 1 which comprises SEQ ID NO: 1.